

Listing of Claims

1. - 2. (Canceled)

3. (Previously Presented) A transgenic plant comprising a plant transformation vector comprising a nucleotide sequence that encodes a PRDT1 polypeptide comprising:

a) the amino acid sequence set forth as SEQ ID NO:2;

b) an amino acid sequence having at least 95% sequence identity to the amino acid sequence of SEQ ID NO:2; or

c) an *Arabidopsis* ortholog of SEQ ID NO:2, wherein the ortholog has at least 85% sequence identity to the sequence set forth as SEQ ID NO: 2, comprises a SANT domain, and has DNA-binding activity,

wherein said transgenic plant has increased drought tolerance relative to control plants, and wherein the transformation vector comprises a drought stress-inducible promoter that controls expression of the PRDT1 polypeptide.

4. (Original) The transgenic plant of claim 3 wherein the ortholog of SEQ ID NO:2 comprises the amino acid sequence set forth as SEQ ID NO:13.

5. (Previously Presented) A method of producing increased drought tolerance in a plant, said method comprising:

a) introducing into progenitor cells of the plant a plant transformation vector comprising a nucleotide sequence that encodes a PRDT1 polypeptide comprising an amino acid sequence as set forth as SEQ ID NO:2; an amino acid sequence having at least 95% sequence identity to the amino acid sequence of SEQ ID NO:2; or an *Arabidopsis* ortholog of SEQ ID NO: 2, wherein the ortholog has at least 85% sequence identity to the sequence set forth as SEQ ID NO: 2, comprises a SANT domain, and has DNA-binding activity; and

b) growing the transformed progenitor cells to produce a transgenic plant, wherein said nucleotide sequence is expressed, and said transgenic plant exhibits increased resistance to drought tolerance, relative to control plants.

6. (Previously presented) A transformed plant obtained by the method of claim 5.
7. (Previously presented) A transformed plant part obtained from the plant according to claim 6.
8. – 10. (Canceled)
11. (Previously presented) The transgenic plant of claim 3, wherein the nucleotide sequence is set forth in SEQ ID NO: 1.
12. (Canceled)
13. (Previously Presented) The transgenic plant of claim 4(c), wherein the *Arabidopsis* ortholog has at least 90% sequence identity over the entire length of SEQ ID NO: 2.
14. (Previously Presented) The transgenic plant of claim 13, wherein the *Arabidopsis* ortholog has at least 95% sequence identity over the entire length of SEQ ID NO: 2.
15. (Previously Presented) A transgenic plant comprising a plant transformation vector comprising a nucleotide sequence that encodes a PRDT1 polypeptide comprising the amino acid sequence set forth as SEQ ID NO: 2 or SEQ ID NO: 13 and a drought stress-inducible promoter that controls expression of the PRDT1 polypeptide, wherein said transgenic plant has increased drought tolerance relative to control plants.
16. (Previously Presented) The method of claim 5, wherein the PRDT polypeptide comprises an amino acid sequence as set forth as SEQ ID NO: 2 or SEQ ID NO: 13.

Remarks

Claims 3-11 and 13-16 were pending; of these, claims 8-10 were withdrawn from consideration. Applicants herewith cancel claims 8-10, as drawn to non-elected subject matter. No new matter is introduced by this filing. After entry of this amendment, claims 3-7, 11, and 13-16 are pending and ready for allowance.

This filing is appropriate after final rejection because it will not require further search in order for the case to be allowed, it cancels claims, it enters suggestions made by the Examiner, and/or it places the case in better position for appeal should such become necessary. Consideration and allowance of the pending claims is respectfully requested.

Title Amendment and Priority Claim

Applicants request that Examiner Ibrahim acknowledge in the next written communication the amendment to the title that was submitted on March 20, 2008.

In addition, Applicants remind the Examiner that the priority claim was amended in the Amendment and Response submitted on March 29, 2007, in order to remove the priority claim to International Application No. PCT/US03/12981 (hereinafter the '981 application). Applicants respectfully request that the Office acknowledge the amendment of the priority claim in the next written communication.

Telephonic Communication

Applicants thank Examiner Ibrahim for the brief telephone conversation with their representative, Tanya Harding, Ph.D., on June 19, 2008, during which the pending provisional double-patenting rejection was discussed. Applicants very much appreciate the Examiner's willingness to review and process the Terminal Disclaimer.